

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**MISTY M. CHINGREN,**

**Plaintiff,**

**v.**

**KEITH M. KELLY,**

**Defendant.**

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**8:04CV370**

**ORDER AND  
NOTICE OF HEARING**

Plaintiff's attorneys have filed a MOTION TO WITHDRAW as plaintiff's counsel (#43). Because substitute counsel has not entered an appearance, the matter will be set for hearing.

**IT IS ORDERED:**

1. The motion to withdraw (#43) is set for evidentiary hearing on **Tuesday, June 6, 2006 at 10:00 a.m.** in Courtroom 6, Roman L. Hruska U.S. Courthouse, 111 S. 18th Plaza, Omaha, Nebraska. (This is the time previously reserved for the final pretrial conference.)
2. Moving counsel and the plaintiff, Misty M. Chingren, are required to personally attend the hearing.
3. Moving counsel shall forthwith serve copies of the MOTION TO WITHDRAW and this ORDER AND NOTICE OF HEARING on Misty M. Chingren at her last known address.
4. Moving counsel shall timely file proof of service showing compliance with paragraph 3, above, and listing the names and addresses of the persons to whom notice was sent.
5. The parties are advised that the hearing will not be necessary and will be cancelled if (a) the motion is withdrawn, or (b) plaintiff retains substitute counsel and substitute counsel enters a written appearance by **1:00 p.m. on Monday, June 5, 2006**. The written appearance must be timely filed with the Clerk of the Court. Communication by facsimile or telephone will not satisfy the requirement of a written appearance.

**DATED May 31, 2006.**

**BY THE COURT:**

**s/ F.A. Gossett  
United States Magistrate Judge**